THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1983 of 2007

19.2.2007

Between:

Y.Nageswara Sarma, S/o.late Yedavalli Seshachalam

... Petitioner

AND

The Assistant Commissioner of Endowments, Kothapet, Guntur District
And another

... Respondents

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WRIT PETITION No.1983 2007

ORDER:

The petitioner is resident of Kukatpally, Hyderabad. He is interested in the Trust created by late Pillalamarri Satyanarayana under registered Will dated 15.3.1974 bequeathing house No.13 admeasuring 275 Sq.yards situated at Tenali for construction of Sri Sitarama Mandiram. He alleges that after death of the testator on 30.4.1974, the second respondent started acting contrary to the wish of the testator and did not take any steps for construction of Mandiram. Therefore the petitioner approached the first respondent on 14.9.2006 for necessary redressal, in vain. Aggrieved by the same, the present writ petition is filed.

Learned Counsel for the petitioner submits that when the property is endowed for a charitable and religious purpose, the first respondent is bound to take necessary action in the interest of the temple so as to subserve the common good. The second respondent is acting contrary to the interest of Mandiram and, therefore, the first respondent ought to have taken action.

On the questions urged by the learned Counsel for the petitioner, this Court is not inclined to express any opinion. It is for the first respondent to look into the complaint/representation dated 14.9.2006 submitted by the petitioner and pass appropriate orders. This Court observes that the first respondent may pass necessary orders, after giving notice to the petitioner as well as the other persons interested. This exercise may be completed within a period of four weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations, is accordingly disposed of. No costs.

(**V.V.S.RAO,J**)

February 19, 2007.
YS